THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO. 22537 OF 2005

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DATED: 19-10-2005.

Between:

Kamanchi Anandaiah …Petitioner

And

The District Election Authority(Cooperation)/

The District Collector, Nellore and two others …Respondents

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO. 22537 of 2005

ORDER:

The grievance of the petitioner is that though the third respondent does not belong to ST community, his nomination for the post of a director of the Allur Cooperative Rural Bank Society which is reserved for a scheduled tribe is accepted over ruling his objection that he belongs to backward class community but not to schedule caste community.

Since the election process has already begun and since acceptance or rejection of a nomination is an intermediatory process in the election and since this court would not generally interfere in election disputes under Art.226 of the Constitution relating to the validity of nominations, as the proper remedy of the aggrieved party is to file an election petition questioning the election of the returned candidates, as held by this court in ***"A.P. SARPANCHAS ASSOCIATION AND OTHERS v. GOVERNMENT OF A.P., PANCHAYAT RAJ DEPARTMENT AND***

OTHERS", "***GUTTAKONDA KANAKA DURGA v. STATE ELECTION COMMISSIONER, GOVERNMENT OF A.P., HYDERABAD AND OTHERS"*** and by the Apex Court in ***"C. SUBRAHMANYAM v. K. RAMANJANEYULU AND OTHERS",*** the petition cannot be entertained.

Therefore, the petition and is dismissed. No costs.

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C.Y. SOMAYAJULU, J.

Dated: 19-10-2005.

RNS